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SC PUBLIC SERVICE
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Public Service Commission of South Carolina
 Commission Clerk
 101 Executive Center Dr., Suite 100
 Columbia, SC 29210

November 18, 2013

RE: Request of Knology of South Carolina, Inc. dba WOW! Internet, Cable and Phone for Expedited Review of Neustar Pooling Administration Denial of Application for Growth Numbering Resources

Dear Commission Clerk,

Knology of South Carolina, Inc. dba WOW! Internet, Cable and Phone ("Knology") submits this request to the Public Service Commission of South Carolina ("Commission") for expedited review and waiver of the Neustar Pooling Administration's denial of our request for growth numbering resources necessary to fulfill a request for the establishment of a Local Routing Number (LRN) in support of the installation of a new switch.

On November 11, 2013 Knology submitted a Part 1 growth code request to the Pooling Administrator for the opening of a new NPA-NXX in the 843 NPA, Charleston, SC rate center in support of establishing a new LRN. The Pooling Administrator denied the request because we did not meet the months-to-exhaust ("MTE") or utilization criteria established by the Federal Communications Commission ("FCC"). As the Commission is aware, the FCC has adopted a safety valve mechanism to allow carriers that do not meet utilization criteria in a given rate center to obtain additional numbering resources. Knology has installed a new switch and requires a specific LRN for traffic routing purposes.

Knology is seeking expedited treatment of this request as the switch is installed and we are ready to serve and transition customers. To that end, please find our original Petition and Exhibit material enclosed. All questions regarding this filing should be made to me at 301-788-6889 or tfireccg@myactv.net.

Yours very truly,

Terri K. Firestein

AOCN and Consultant for

Knology of South Carolina, Inc. dba WOW!
 Internet, Cable and Phone

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PSC SC
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**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COLUMBIA, SOUTH CAROLINA**

In re: Petition of Knology of South Carolina, Inc. dba WOW! Internet,)
Cable and Phone for Review and Reversal of Neustar's Denial)
of Growth Numbering Resources in the Charleston, SC Rate Center)

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COMMISSION

**KNOLOGY OF SOUTH CAROLINA, INC. dba WOW! INTERNET, CABLE AND
PHONE PETITION FOR REVIEW AND REVERSAL OF NEUSTAR'S DENIAL OR
GROWTH NUMBERING RESOURCES IN THE CHARLESTON, SC RATE CENTER**

Knology of South Carolina, Inc. dba WOW! Internet, Cable and Phone ("Knology"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), administered by Neustar, Inc. ("Neustar"), respectfully requests that the Public Service Commission of South Carolina ("Commission") grant expedited review and reversal of NANPA's denial of our growth code request.

In support of its petition, Knology says as follows:

1. Knology is a competitive telecommunications service provider regulated by the Commission under Order 98-445, as amended, and duly authorized to provide, among other services, local exchange telecommunications services in the State of South Carolina.

2. NANPA holds overall responsibility for the neutral administration of North American Numbering Plan ("NANP") numbering resources, whose responsibilities include assignment of NANP resources and coordination of area code relief planning and collection of utilization and forecast data. Neustar is an independent, non-governmental entity responsible for administering and managing the numbering resources and operates the authoritative directories that manage virtually all telephone area codes and numbers in the United States.

3. On November 11, 2013 Knology submitted a Part 1 growth code application for the Charleston, SC rate center for the purpose of opening a new NPA-NXX for Local Routing Number (LRN) establishment purposes to support the installation of a new switch. A true and accurate copy of that application is attached as Exhibit "A". Knology submitted this request because it requires a specific and distinct LRN to support the routing of traffic on the new switch represented by CLLI Code NCHRSCZVGT0.

4. On November 11, 2013, Knology's application was submitted in accordance with the current Central Office Code (NXX) Assignment Guidelines ("Guidelines") of the Alliance for Telecommunications Industry Solutions ("ATIS"), as posted at its website (<http://www.atis.org/inc/incguide.asp>) as of the date of this application. In pertinent part, the industry code assignment criteria for growth codes, Section 4.3, provides that:

The MTE form submitted must demonstrate that all of the numbers assigned to the code holder in the rate center will exhaust within six months. In the MTE calculation, SPs must include every code in the rate center, regardless of NPA.¹ An exception occurs in cases where a rate center is split among multiple NPAs due to a regulatory order by a state commission. Should that occur, the MTE calculation shall be based on only those codes in the rate center and particular NPA for which additional resources are being requested.

4.3.1 For additional codes for growth, each code holder will demonstrate that existing codes for the rate center will exhaust within 6 months and must supply supporting data using the "CO Code Assignment Months to Exhaust Certification Worksheet - TN Level" which covers:²

- 1) Telephone Number (TNs) Available for Assignment;*
- 2) Growth history for six months*
- 3) Projected demand for the coming 12 months; and*
- 4) The applicants must demonstrate that existing numbering resources for the rate center will exhaust within 6 months.³*

All applicants for growth numbering resources shall achieve a 75% utilization threshold for the rate center in which they are requesting growth numbering resources⁴.

¹ State commissions may have certain requirements as to the treatment of different types of grandfathered codes.

² 47 CFR § 52.15 (g) (3)

³ 47 CFR § 52.15 (g) (3) (iii)

The numbering resource utilization level shall be calculated by dividing all assigned numbers by the total numbering resources in the applicant's inventory and multiplying the result by 100. Numbering resources activated in the LERG Routing Guide within the preceding 90 days of reporting utilization levels may be excluded from the utilization calculation⁵.

4.3.2 To replenish the inventory pool, the PA shall complete and send the "Thousands-Block Number Pooling Months to Exhaust Certification Worksheet – 1000-Block Level [Thousands-Block Number (NXX-X) Pooling Administration Guidelines, Appendix 4] to the Co Code Administrator. The PA will demonstrate that existing thousands-blocks for the rate center will exhaust within 6 months⁶ and will have documented and be prepared to supply supporting data to the CO Code Administrator in the form of:

- 1) Thousands-blocks available for assignment;*
- 2) Growth history of thousands-blocks, or equivalent information, for the past 6 months; and*
- 3) Projected demand for thousands-blocks in the next 12 months⁷.*

The PA shall retain the "Thousands-Block Number Pooling Months to Exhaust Certification Worksheet – 1000-Block Level [Thousands-Block Number (NXX-X) Pooling Administration Guidelines, Appendix 4] in the event of an audit or regulatory initiative and forward a copy to the CO Code Administrator.

The PA when forwarding an application to the CO Code Administrator for an NXX Code to a) satisfy the needs of an SP's single customer requiring 10,000 consecutive TNs, or b) be assigned for LRN purposes, will certify the need by providing the CO Code Administrator a copy of the "Thousands-Block Number Pooling Months To Exhaust Certification Worksheet - TN Level" [Thousands-Block Number (NXX-X) Pooling Administration Guidelines, Appendix 3] that is supplied to the PA by the requesting SP in accordance with the Thousands-Block Number (NXX) Pooling Administration Guidelines which covers:

- 1) Telephone numbers (TNs) available for assignment;*
- 2) Incremental growth history of new TNs for the past 6 months (does not include ported TNs);*
- 3) Projected incremental demand for TNs in the next 12 months⁸; and*
- 4) Utilization threshold level for the rate center in which growth numbering resources are being requested.*

The PA must supply all certification information to the CO Code Administrator.

4.3.3 An additional code(s) is necessary for distinct routing, rating, or billing purposes (e.g., Calling Party Pays).⁹ Applicant must provide the CO Code Assignment Months

⁴ 47 CFR § 52.15 (h)

⁵ 47 CFR § 52.15 (g) (3) (i) and (ii)

⁶ FCC 00-104, ¶ 189

⁷ 47 CFR § 52.15 (g) (3) (i)

⁸ 47 CFR § 52.15 (g) (3) (i)

*To Exhaust Certification Worksheet – TN Level and utilization data by rate center as stated in Section 4.3.1.*¹⁰

*4.3.4 An additional code(s) is necessary for other reasons. The applicant must provide an explanation of why existing assigned resources cannot satisfy this requirement. Applicant must provide the CO Code Assignment Months To Exhaust Certification Worksheet – TN Level and utilization data by rate center as stated in Section 4.3.1.*¹¹

On November 11, 2013, Pooling Administration denied Knology's request on the grounds that Knology did not meet the rate center based MTE criterion or the seventy five percent (75%) rate center utilization threshold requirement before receiving additional numbering resources in a given rate center, as set forth in the FCC's *Second Report and Order, Order on Reconsideration in CC Docket No 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, CC Docket Nos. 96-98 and 99-200, In the Matter of Numbering Resource Optimization and Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717, FCC 00-429 (rel. Dec. 29, 2000)*. See also 47 C.F.R. §§ 52.15(g)(3)(iii) and (h). That denial is attached hereto as Exhibit "B".

Both the FCC's rules and the Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See 47 C.F.R. § 52.15(g)(4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission.") see also Central Office Code Assignment Guidelines § 12.2.

7. The FCC has determined the need for a "safety valve" process that allows carriers that do not meet the rate center MTE and utilization criteria to obtain additional numbering

⁹ Any additional information that can be provided by the code applicant may facilitate the processing of that application.

¹⁰ 47 CFR § 52.15 (g) (3) (i)

¹¹ 47 CFR § 52.15 (g) (3) (i)

resources and has delegated authority to the state commissions to hear claims that a safety valve should be applied when specific requests for numbering resources have been denied by NANPA or the Numbering Pool Administrator. *Third Report and Order and Second Order On Reconsideration*, CC Docket Nos. 96-98, 99-200 and 95-116, In the Matter of Numbering Resource Optimization, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, and the Telephone Number Portability, FCC 01-362 (rel. Dec. 28, 201)(“FCC 01-362”).

8. This Commission has previously recognized its jurisdiction and authority to review NANPA and Neustar denials and to order the release of numbering resources to meet LRN demands for other carriers, despite their inability to satisfy the required MTE and utilization criteria.

9. NANPA’s decision violates the intent and requirement of the FCC and the Commission in allowing carriers access to numbering resources to meet the required standards of portability in the network, and NANPA’s denial of numbering resources interferes with Knology’s ability to best serve its existing customers and its potential customers.

11. Knology has demonstrated that it cannot meet the industry MTE and utilization criteria through its existing inventory and has requested that its application be handled in an expedited manner. Knology respectfully requests the Commission waive the formal notice for this application and issue its order directing Neustar to open a new NPA-NXX in the Charleston rate center for the purpose of establishing a LRN. This is consistent with the FCC’s guidelines on an expedient process for states considering waiver requests, which notes that in most instances, ten (10) business days from receipt of a safety valve request is sufficient time to review and act upon a request. FCC 01-362 at ¶ 66.

WHEREFORE, Knology respectfully requests that the Commission issue an order reversing NANPA's decision denying Knology's application for a full code for purposes of establishing a LRN, and grant the requested relief on an expedited basis.

Respectfully submitted this 18th day of November, 2013.

A handwritten signature in black ink, reading "Terri K. Firestein", written over a horizontal line.

Terri K. Firestein
AOCN and Consultant for
Knology of South Carolina, Inc. dba WOW!
Internet, Cable and Phone
Cell: 301-788-6889
tfireccg@myactv.net